



March 16, 2007

ENGROSSED SENATE BILL No. 254

DIGEST OF SB 254 (Updated March 15, 2007 11:36 am - DI 75)

Citations Affected: IC 8-22.

Synopsis: Evansville-Vanderburgh County airport authority. Provides that the Evansville-Vanderburgh County airport authority and any county contiguous to Vanderburgh County may enter into a cooperative agreement involving any functions of the authority.

Effective: Upon passage.

Becker, Riegsecker, Deig

(HOUSE SPONSORS — VAN HAAFTEN, CROUCH)

January 11, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

January 25, 2007, reported favorably — Do Pass.

January 29, 2007, read second time, ordered engrossed. Engrossed.

January 30, 2007, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2007, read first time and referred to Committee on Local Government.

March 15, 2007, reported — Do Pass.

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ES 254—LS 7036/DI 114+



March 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 254

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-22-3-6.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 6.5. (a) This section applies only to an**
4 **authority that was established under IC 19-6-3 (before its repeal on**
5 **April 1, 1980).**
6 **(b) As used in this section, "cooperative agreement" means an**
7 **agreement entered into by the authority and an eligible county**
8 **under subsection (d).**
9 **(c) As used in this section, "eligible county" means a county that**
10 **is contiguous to the county in which the authority has jurisdiction.**
11 **(d) The authority and an eligible county may enter into a**
12 **cooperative agreement concerning the operations, functions,**
13 **projects, activities, funding, or capital expenditures of the**
14 **authority under this chapter or IC 8-22-3.5.**
15 **(e) A cooperative agreement must provide for the following:**
16 **(1) The appointment to the board of the authority of one (1)**
17 **or more additional members, including advisory members,**

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representing the eligible county.

(2) The duration of the cooperative agreement.

(3) The purpose of the cooperative agreement.

(4) The manner of financing, staffing, and supplying a joint undertaking under the cooperative agreement.

(5) Establishing and maintaining a budget for a joint undertaking under the cooperative agreement.

(6) The partial or complete termination of the cooperative agreement.

(7) Any other matters the authority and the eligible county determine are necessary or desirable.

(f) A cooperative agreement may provide for the following:

(1) A trial period, not to exceed three (3) years, during which the eligible county:

(A) may cooperate in an advisory capacity; and

(B) may not be required to participate in financing activities under the cooperative agreement.

(2) The establishment of a separately appointed board to administer the cooperative agreement following the conclusion of the trial period described in subdivision (1).

(g) A proposed cooperative agreement must be approved by the:

(1) executive; and

(2) fiscal body;

of the eligible county before the eligible county may enter into the cooperative agreement.

(h) A cooperative agreement entered into under this section is not subject to IC 36-1-7.

(i) The general assembly finds the following:

(1) The authority and all eligible counties face unique and distinct challenges and opportunities related to transportation and economic development that are different in scope and type from those faced by other units of local government in Indiana due to:

(A) the status of the authority and the eligible counties in relationship to the southwest extension of Interstate Highway 69;

(B) the distance of the authority and the eligible counties from other major centers of commerce, industry, and economic activity in the state; and

(C) the relative inaccessibility of southwest Indiana to markets.

(2) A unique approach is required to fully take advantage of

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1 **the economic development potential of the authority and an**
2 **eligible county.**
3 **SECTION 2. An emergency is declared for this act.**

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SENATE MOTION

Madam President: I move that Senator Riegsecker be added as second author and Senator Deig be added as third author of Senate Bill 254.

BECKER

 COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 254, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 254 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 10, Nays 0.

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 254, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

SMITH V, Chair

Committee Vote: yeas 11, nays 0.

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